

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
September 7, 2006

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of the Memorial Borough Hall on September 7, 2006 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman DeVoe, Councilmen Broderick, Hemphill, Rubin and Shanley.

Absent: Councilman Kammerer.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

C. Bernard Blum, Jr., Borough Engineer, was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2006 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER FROM MARIE MCDAID OF 19 HEATHCLIFF ROAD REQUESTING PERMISSION TO HOLD A BLOCK PARTY AT THE END OF HEATHCLIFF ROAD ON SATURDAY, SEPTEMBER 23, 2006:

The Municipal Clerk/Administrator advised of a letter dated August 28, 2006 from Marie McDaid of 19 Heathcliff Road requesting permission to hold a block party at the end of Heathcliff Road on Saturday, September 23, 2006, with a rain date of Sunday, September 24th.

Councilwoman DeVoe asked if Mrs. McDaid was aware of the Borough's requirements of leaving a lane open for emergency vehicles and the DPW barricades to block off the street.

The Municipal Clerk/Administrator stated that the standard letter with all the requirements would be sent in response to the request.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received and the request for the block party was approved. All in favor.

LETTER FROM CONGREGATION B'NAI ISRAEL REQUESTING PERMISSION TO HANG A BANNER OVER RIDGE ROAD ADVERTISING THE NOVEMBER 2, 4 AND 5, 2006 ISRAELI SHOWCASE FUNDRAISING EVENT:

The Municipal Clerk/Administrator advised of a letter dated August 17, 2006 from Lester Mallet, Co-Chair of the Congregation B'nai Israel's Israeli Showcase Committee, requesting permission to hang a banner advertising their fundraising event to be held on November 2, 4 and 5, 2006 and concert on November 5th. They are requesting permission to hang the banner over Ridge Road approximately 200 feet east of the Ridge and Hance Roads intersection (and they are currently requesting permission from the Borough of Fair Haven also). If their request for the banner is not approved, they would like permission to place a sign on their property to advertise the events.

Councilwoman DeVoe stated that she was opposed to the banner hanging over Ridge Road. She stated that banners hanging over streets in Rumson should not be allowed because it is not in the best interest of the Borough's landscape. She stated that other methods could be used, such as hanging a banner on the tennis court fence at Victory Park and/or placing a message on the Borough bulletin board at the corner of River Road and Bingham Avenue. She added that a sign could be placed on the Congregation B'nai Israel property that would be just as effective.

The Municipal Clerk/Administrator advised that no time frame had been stated in the letter. He added that they did state in the letter that, if the banner were not be to allowed, that they requested permission for a sign to be placed on their property.

Mayor Ekdahl stated that the banner hung over a street for the Rumson-Fair Haven run had been allowed in May and that they should take into consideration that there may be ridicule if the Council allows some banners and not others.

Councilman Shanley stated that the intersection of Hance and Ridge Roads was fairly busy. He stated that the traffic light is not far from where they wish to hang the banner and that the banner might be a distraction to motorists so close to the traffic light.

The Municipal Clerk/Administrator advised that Ridge Road was a County Road; if the Council gave their approval, then the request would also go to the County for their approval.

Councilman Shanley stated that he was in favor of a sign on the Congregation's property.

Councilwoman DeVoe stated that she likened this event to the Canterbury Fair at St. George's-by-the-River Church. She stated that their sign was placed on Rumson Road at the Sea Bright Bridge entrance for approximately three weeks prior to the date of their event.

The Municipal Clerk/Administrator suggested that a motion to approve the sign should include a time frame to be allowed.

It was suggested that a sign be allowed to be placed on the Congregation's property two weeks prior to the events.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, this communication was ordered received; the request for the banner was denied and the request for the sign on the property was approved for a period of two weeks prior to the events on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

Councilwoman DeVoe suggested that the Borough should not allow banner form of advertising across any street in the Borough.

The Borough Attorney stated that this would have to be done by Borough Ordinance.

Councilman Broderick stated that he wasn't in favor of an Ordinance to ban all banners.

Mayor Ekdahl pointed out that the Borough would be celebrating its 100th Anniversary next year and that we might wish to hang a banner over a street ourselves.

Councilwoman DeVoe stated that she felt banners hanging over the Borough streets create a carnival atmosphere and that they were out of place.

Mayor Ekdahl stated that the Council did not receive many requests of this type and that he felt that handling the requests on a case-by-case basis did not present a problem.

Councilman Shanley stated that he would like the Council to handle this matter on a case-by-case basis. He asked if the Municipal Clerk/Administrator knew if the Borough of Fair Haven had approved their request, since one side of the banner would be hung in Fair Haven.

The Municipal Clerk/Administrator stated that he did not know if Fair Haven had approved the request.

LETTER FROM HOLY CROSS CHURCH REQUESTING PERMISSION FOR THE USE OF THE BOROUGH'S PARK ACROSS FROM THE CHURCH FOR PARKING ON SUNDAY, SEPTEMBER 17, 2006 FROM 2:00-6:00 P.M. DURING THE PARISH PICNIC ON CHURCH GROUNDS:

The Municipal Clerk/Administrator advised of a letter dated September 5, 2006 from Fr. Michael Manning of Holy Cross Church requesting permission for the use of the Borough parking area across from the Church on Sunday, September 17, 2006 from 2:00-6:00 p.m. The Parish Picnic will be held at that time on Church grounds.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received and the request for the use of the Borough park for parking during the picnic was approved. All in favor.

LETTER FROM BOB CECERE, JR. OF 11 BLOSSOM ROAD REQUESTING PERMISSION TO HOLD A BLOCK PARTY ON BLOSSOM ROAD FOR THE

**RESIDENTS OF ROBIN AND BLOSSOM ROADS ON SATURDAY, SEPTEMBER 23, 2006
FROM 2:00-10:00 P.M.:**

The Municipal Clerk/Administrator advised of a letter to Mayor Ekdahl dated September 4, 2006 from Bob Cecere, Jr. of 11 Blossom Road requesting permission to hold a block party for the residents of Robin and Blossom Roads on Saturday, September 23, 2006 from 2:00-10:00 p.m. Mr. Cecere advised in his letter that the block party would be held on Blossom Road from #4 to #11, barricades would be used to block off the area and that they would maintain a lane for emergency access.

On motion by Councilman Rubin, seconded by Councilman Shanley, this communication was ordered received and the request for the block party was approved. All in favor.

CONSENT AGENDA:

LETTER FROM THOMAS P. SANTRY, P.A. ON BEHALF OF HOWARD AND MARY LOU GITTLESON FOR PROPERTY AT 42 GRANT AVENUE, ENCLOSING A COPY OF AN APPLICATION TO THE STATE D.E.P. FOR A WATERFRONT DEVELOPMENT PERMIT TO REPLACE THE EXISTING TIMBER BULKHEAD IN ITS PLACE WITH VINYL, AS SHOWN ON THE PLANS:

The Municipal Clerk/Administrator advised of a letter from Thomas P. Santry, P.A. on behalf of Howard and Mary Lou Gittleson, 42 Grant Avenue. The letter advised of an application submitted to the New Jersey Department of Environmental Protection, Land Use Regulation Program for a Water Development Permit to replace the existing timber bulkhead in its place with vinyl, as shown on the plans.

LETTER FROM THE STATE D.E.P. ADVISING OF THE APPROVAL OF A WATERFRONT DEVELOPMENT PERMIT OF MAUREEN MCINTYRE FOR PROPERTY LOCATED AT 185 RUMSON ROAD FOR THE CONSTRUCTION OF A FIXED PIER, RAMP AND FLOATING PIER:

The Municipal Clerk/Administrator advised of a letter received from the State of New Jersey Department of Environmental Protection advising of the approval of the Waterfront Development Permit of Maureen McIntyre for property located at 185 Rumson Road for the construction of a fixed pier, ramp and floating pier.

LETTER FROM THE STATE D.E.P. ADVISING OF THE APPROVAL OF A COASTAL GENERAL PERMIT OF BORIS BEREZNYAK FOR PROPERTY AT 13 OYSTER BAY DRIVE FOR THE CONSTRUCTION OF A ONE-STORY GARAGE AND DRIVEWAY AND ADDITIONS TO THE EXISTING SINGLE-FAMILY DWELLING:

The Municipal Clerk/Administrator advised of a letter received from the State of New Jersey Department of Environmental Protection advising of the approval of the Coastal General Permit for the construction of a one-story garage and driveway and additions to the existing single-family dwelling.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the above three communications on the consent agenda were ordered received. All in favor.

COMMITTEE REPORTS:

Councilman Shanley reported that a letter dated September 4, 2006 had been received from Alix Ann Arlinghaus of 120 Avenue of Two Rivers thanking and commending Mark Wellner, DPW Superintendent, and the members of his staff for the “wonderful job” they did clearing the damage from the storm over the past weekend. In her letter, Ms. Arlinghaus stated that the Borough’s “quality and professionalism” of the services to the residents was appreciated.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the Public Works/Utilities Committee Report was ordered received. All in favor.

Councilman Broderick reported that a letter dated August 29, 2006 was received from Police Chief Richard E. Tobias commending the investigation of a Juvenile Bias Intimidation and Terrorist Threats incident on August 24, 2006 by Detective Kevin Gaynor and Patrolmen Daniel Campanella and Christopher York. A male juvenile Rumson resident had received a harassing, anti-Semitic telephone call on his cell phone from an unknown caller threatening to kill the victim because he was Jewish. After a joint interview of the juvenile by the three Rumson Police Officers and the County Prosecutor’s detective, it was determined that the call was made by a male juvenile from Ocean Township in the presence and urging of several other juveniles. “The juveniles involved were each given a stationhouse house adjustment, agreeing to adhere to the terms of a strict contract set by the Officers, the Prosecutor’s Office and the parents of the victim in lieu of formal charges.”

Councilman Broderick also reported that a letter to the Mayor dated September 4, 2006 was received from Lt. Scott A. Paterson, Officer In Charge, commending the Borough employees and volunteers for the excellent job they did during the Tropical Storm and its aftermath over the past weekend. He stated that the Borough had suffered power outages, severe flooding, downed trees and tree limbs and that the Department of Public Works, Wastewater Management Department, Fire Department, EMS and Police Department “had worked together to maintain the safety and well-being of the residents of Rumson.” He gave special recognition to Lt. Petrucelli; Patrolmen Fenn, Ciambrone, Schneider, Isherwood and Campanella; Special Officers Hostrup, Foley and Savoth; and Dispatcher Egan. Lt. Paterson advised that, because of the “commitment and dedication of these officers,” there were no storm related injuries reported.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the two Police/Fire/EMS Committee Reports were ordered received. All in favor.

UNFINISHED BUSINESS:

ORDINANCE AMENDMENT TO CHAPTER VII, TRAFFIC, SCHEDULE I, NO PARKING. PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

AN ORDINANCE TO AMEND THE CODE
OF THE BOROUGH OF RUMSON BY
AMENDING CHAPTER VII, TRAFFIC

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

The Mayor afforded the members of the Council an opportunity to be heard on this ordinance in final reading and no one responded.

The Mayor afforded the public an opportunity to be heard on this ordinance in final reading and no one responded.

On motion by Councilman Rubin, seconded by Councilwoman DeVoe, the public hearing on this ordinance was declared closed. All in favor.

Councilman Rubin moved the adoption of this ordinance in final reading. Motion seconded by Councilwoman DeVoe and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

ORDINANCE AMENDMENT TO CHAPTER VII, TRAFFIC, SCHEDULE IV, PARKING TIME LIMITED. PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

**AN ORDINANCE TO AMEND THE CODE
OF THE BOROUGH OF RUMSON BY
AMENDING CHAPTER VII, TRAFFIC**

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

The Mayor afforded the members of the Council an opportunity to be heard on this ordinance in final reading and no one responded.

The Mayor afforded the public an opportunity to be heard on this ordinance in final reading and no one responded.

On motion by Councilman Broderick, seconded by Councilwoman DeVoe, the public hearing on this ordinance was declared closed. All in favor.

Councilman Broderick moved the adoption of this ordinance in final reading. Motion seconded by Councilwoman DeVoe and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

ORDINANCE AMENDMENT TO CHAPTER VII, TRAFFIC, SCHEDULE VI, ONE-WAY STREETS. PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

AN ORDINANCE TO AMEND THE CODE
OF THE BOROUGH OF RUMSON BY
AMENDING CHAPTER VII, TRAFFIC

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

The Mayor afforded the members of the Council an opportunity to be heard on this ordinance in final reading and no one responded.

The Mayor afforded the public an opportunity to be heard on this ordinance in final reading and no one responded.

On motion by Councilman Shanley, seconded by Councilwoman DeVoe, the public hearing on this ordinance was declared closed. All in favor.

Councilman Shanley moved the adoption of this ordinance in final reading. Motion seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

NEW BUSINESS:

RESOLUTION AWARDING THE STATE CONTRACT FOR RADIO EQUIPMENT TO A.R. COMMUNICATIONS:

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING ACQUISITION AND
INSTALLATION OF RADIO COMMUNICATION EQUIPMENT

WHEREAS, the Borough of Rumson has the need to acquire new Radio Communication Equipment and Accessories from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, KENWOOD COMMUNICATION CORPORATION has been awarded New Jersey State Contract No. 53764 for Radio Communication Equipment and Accessories, for the period from January 1, 2003 to September 30, 2006; and

WHEREAS, A.R. COMMUNICATAIONS is an authorized dealer for Kenwood Communication Corporation; and

WHEREAS, the actual cost for the purchase from AR COMMUNICATIONS is \$8,730.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract as evidenced on Purchase Order numbers 06-1315 and 06-1316;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that A.R. COMMUNICATIONS as an authorized dealer for Kenwood Communication Corporation be awarded a contract for the acquisition and installation of new Radio Communication Equipment for Rumson Borough at a cost of \$8,730.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to proceed with the purchase of said goods.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

RESOLUTION REQUESTING APPROVAL OF THE GREEN ACRES LOAN/GRANT TO BE COMBINED AS \$400,000.00 GRANT:

RESOLUTION TO FUND GREEN ACRES GUNNING ISLAND ACQUISITION
ENABLED BY THE STATE OF NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit

organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Rumson desires to further the public interest by obtaining a grant of \$400,000.00 from the State to fund the acquisition of part of Gunning Island in the Navesink River; and

WHEREAS, the State has offered the Borough a grant of \$250,000.00 and a loan of \$150,000.00; and

WHEREAS, the Borough has requested that the State approve combining the loan and grant into a \$400,000.00 grant; and

WHEREAS, the State has considered the Borough's request and agreed to combine the loan and grant into a \$400,000.00 grant; and

WHEREAS, the State has determined that the application is complete and in conformance with the scope and intent of the Green Acres Program, and notified the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson:

1. That the Mayor of the above named body or board is hereby authorized to amend the Agreement thereto with the State known as Gunning Island Acquisition; and
2. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
3. That this resolution shall take effect immediately.

The above Resolution was moved by Councilman Rubin, seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

RESOLUTION AUTHORIZING THE SUSPENSION OF THE VERIZON NEW JERSEY INC. CABLE TELEVISION APPLICATION FOR MUNICIPAL CONSENT UNTIL THE NEW JERSEY BOARD OF PUBLIC UTILITIES GRANTS THE COMPANY A SYSTEM-WIDE FRANCHISE:

Councilwoman DeVoe offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson is currently in the process of working with Verizon New Jersey Inc. to offer cable television service to the Borough's residents; and

WHEREAS, the process to establish Verizon New Jersey Inc. as a cable television franchise requires public and New Jersey Board of Public Utilities approval; and

WHEREAS, at the same time, Verizon New Jersey Inc. is exploring State wide approval; and

WHEREAS, Verizon New Jersey Inc. has requested that the Borough of Rumson suspend the Borough's process until the State decides to grant approval;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rumson that the Mayor be authorized to sign the Suspension of Municipal Consent Application to suspend the process until such time that Verizon New Jersey Inc. contacts the Borough advising of their receipt of State wide approval.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

RESOLUTION TO APPOINT JOSEPH W. GLYNN, JR. AS A FULL-TIME POLICE DISPATCHER:

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Richard Torres has been promoted from his position as Full-time Rumson Police Dispatcher to Probationary Police Patrolman effective August 24, 2006; and

WHEREAS, the Police Department has a need to fill the vacant position immediately; and

WHEREAS, Joseph W. Glynn, Jr. has applied for the position and has the required qualifications; and

WHEREAS, Police Chief Richard E. Tobias has recommended that Mr. Glynn be hired for the position;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Joseph W. Glynn, Jr. be hired for the position of Full-time Police Dispatcher effective September 6, 2006 with an annual salary of \$26,500.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

RESOLUTION AUTHORIZING THE REFUND OF THE \$1,980.00 CASH BOND AND THE \$19,800.00 PERFORMANCE SURETY BOND TO CJS INVESTMENTS, INC. FOR PROPERTY LOCATED AT 131 AVENUE OF TWO RIVERS FOR THE DEMOLITION OF A HOUSE AS A CONDITION OF PERFECTING THE MINOR SUBDIVISION:

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE THE REFUND
OF A CASH BOND AND PERFORMANCE SURETY BOND**

WHEREAS, CJS Investments, Inc. posted a \$1,980.00 Cash Bond and a \$19,800.00 Performance Surety Bond as a condition of a Minor Subdivision for property located at 131 Avenue of Two Rivers; and

WHEREAS, CJS Investments, Inc. has requested a refund of the \$1,980.00 Cash Bond and \$19,800.00 Performance Surety Bond now that the house has been demolished; and

WHEREAS, the Borough Construction Official has recommended the release of the \$1,980.00 Cash Bond and \$19,800.00 Performance Surety Bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that CJS Investments, Inc., 1451 Route 34, Suite 301, Farmingdale, NJ 07727 be issued a refund of the \$1,980.00 and \$19,800.00 for a total of \$21,780.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

RESOLUTION AUTHORIZING THE AWARD OF THE BOROUGH'S LEAF RECYCLING CONTRACT FOR 2006 TO OVERBROOK FARMS:

Councilwoman DeVoe offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, three proposals were received for the 2006 contract to recycle the Borough's leaves; and

WHEREAS, Overbrook Farm, 55 Orchard Lane, Colts Neck, N.J. was the low bidder at a price of \$3.00 per cubic yard compacted;

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves a one-year contract with Overbrook Farm for the recycling of leaves; and

BE IT FURTHER RESOLVED that the Borough Administrator be and is hereby authorized to accept the aforementioned proposal from Overbrook Farm dated September 1, 2006.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

The Municipal Clerk/Administrator advised that the Overbrook proposal was lower than the others received and that their cost was up slightly from last year's of \$2.95 per cubic yard compacted.

RESOLUTION AUTHORIZING THE REFUND OF STREET OPENING PERMIT 106/06 FOR EVERCLEAR DEVELOPMENT LLC:

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Everclear Development LLC paid the required \$1,000.00 deposit plus the \$100.00 application fee for Street Opening Permit Number 106/06; and

WHEREAS, Mark Wellner, Rumson Borough Superintendent of Public Works, has inspected the project and found it to be satisfactory and therefore recommends the release of the \$1,000.00 bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Everclear Development LLC be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Abstain: Broderick.

Absent: Kammerer.

RESOLUTION AUTHORIZING THE REFUND OF STREET OPENING PERMIT 110/06 FOR DOLPHIN HOMES LLC:

Councilman Shanley offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Dolphin Homes LLC paid the required \$1,000.00 deposit plus the \$100.00 application fee for Street Opening Permit Number 110/06; and

WHEREAS, Mark Wellner, Rumson Borough Superintendent of Public Works, has inspected the project and found it to be satisfactory and therefore recommends the release of the \$1,000.00 bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Dolphin Homes LLC be issued a refund of the \$1,000.00 bond; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

RAFFLE APPLICATION FOR THE COMMUNITY YMCA:

The Municipal Clerk/Administrator stated that he had received an application for a raffle from The Community YMCA, 144 Drs. James Parker Blvd, Red Bank. Said raffle to be held at 80 West River Road on October 7, 2006 at 6:00 p.m.

The Clerk stated that the application was in order and fees paid.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, this application was approved. All in favor.

RAFFLE APPLICATION FOR FRIENDS OF THE MONMOUTH COUNTY CHILD ADVOCACY CENTER:

The Municipal Clerk/Administrator stated that he had received an application for a raffle from the Monmouth County Child Advocacy Center, 75 West Main Street, Freehold. Said raffle to be held at 10 Belknap Lane on October 28, 2006 at 7:00 p.m.

The Clerk stated that the application was in order and fees paid.

On motion by Councilman Rubin, seconded by Councilman Shanley, this application was approved. All in favor.

APPOINTMENT BY THE MAYOR:

APPOINTMENT OF James G. Lizotte as Member of the Shade Tree Commission:

Mayor Ekdahl recommended the appointment of James G. Lizotte as Member of the Shade Tree Commission to fill an unexpired term effective September 7, 2006—term to expire December 31, 2007.

Councilwoman DeVoe moved that this appointment be confirmed. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and no one responded.

FINANCIAL OFFICER'S REPORT:

The Financial Officer's Report disclosed the following cash on hand in the Current Fund Account as of September 7, 2006:

Wachovia Bank		
Balance:	08/17/06	\$ 9,220,272.89
Cash Receipts:		\$ 447,510.09
Void Check	08/31/06 24818	\$ 25,886.00
Pre-Paid Items:		\$ 0.00
Bills & Claims:	09/07/06	\$ (4,027,598.47)
Payroll:	08/30/06	\$ (178,829.90)
Wachovia Bank Balance:		<u>\$ 5,487,240.61</u>

Certificate of Deposits:	\$ 7,000,000.00
Money Market Funds:	\$ 0.00
Total Current Fund:	\$12,487,240.61

On motion of Councilman Broderick, seconded by Councilman Shanley, the Financial Officer's Report was ordered received and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Rubin offered the following resolution and moved its adoption:

\$	30.60	NJ State Dept of Health
\$	30.60	Animal Control Account
\$	44,355.00	T & M Associates
\$	1,250.00	David J Wellner
\$	45,605.00	Capital Account
\$	25,886.00	Beinhard & Nancy Hou
\$	849.54	Action Office Supplies
\$	14,266.36	Allied Oil Company
\$	432.00	AR Communications
\$	532.20	Asbury Park Press
\$	34.20	Atlantic Plumbing Supply Co
\$	3,458.40	Ben Shaffer & Assoc Inc
\$	374.40	Bob's Uniform Shop
\$	250.00	Builders General Supply Co
\$	461.00	Campbell Foundry Co
\$	4,040.00	County of Cape May
\$	224.24	Clayton Block Company Inc
\$	531.00	Edwin and Margaret Connor
\$	490.83	Custom Tire Associates
\$	2,907.54	Delta Dental Plan of NJ
\$	1,728.22	Dell Inc
\$	344,875.00	Depository Trust Company
\$	134.50	Deptcor
\$	112.44	F & C Automotive Supply Inc
\$	325.64	Foley
\$	665.00	Footage Tools Inc
\$	1,165.00	Gagliano Appraisal LLC
\$	265.50	Ella Gaynor
\$	200.00	Glock Inc

\$	490.00	Jane F Hartman
\$	20.02	Home Depot Commercial Credit
\$	23.85	Hydrair Inc
\$	150.23	Int'l Trucks of Central Jersey
\$	14,700.40	JCP&L
\$	125.33	Kaldor
\$	531.00	Gerald & Helen Kelly
\$	34.85	Kepwell Natural Spring Water
\$	7,500.00	KKD Enterprises Inc
\$	265.50	John H Lacey Jr
\$	24.95	Lanigan Associates Inc
\$	95.68	Mazza and Sons Recycling
\$	1,403.45	McCarter & English LLP
\$	9,711.00	Mickey Benoit Inc
\$	30.50	Middletown Fire & Safety Inc
\$	3,855.00	Mobile Vision
\$	172.79	Sharon Modica
\$	14,877.95	Treasurer County of Monmouth
\$	360.00	Monmouth County Police Academy
\$	1,156.56	Moore Medical
\$	531.00	Royal E & Virginia Moss
\$	265.50	Elizabeth Murphy
\$	265.50	Jacquelyn Murphy
\$	531.00	Patricia & Joseph Murphy
\$	232.39	Naylor's Inc
\$	252.00	Nelson Press
\$	4,382.73	New Jersey American Water
\$	16.00	New Jersey State League of
\$	54,246.33	State of NJ Pensions/Active
\$	36,203.37	State of NJ Pensions/Retiree
\$	244.50	William J Patton
\$	219.09	Rosano Asphalt
\$	1,425.00	Roy Press Printers
\$	1,862,742.33	Rumson Elementary School Dist
\$	1,557,135.87	RFH Regional High School
\$	210.50	Rumson Fire Company
\$	531.00	James & Evelyn Scalzo
\$	531.00	James & Joan Shea
\$	768.09	Snap on Tools
\$	531.00	Joseph Sorrentino
\$	611.45	Staples
\$	40.92	Storr Tractor
\$	531.00	James & Pauline Tanner
\$	420.00	Targeted Technologies LLC
\$	53.65	TCP Petroleum
\$	44.50	Total Media Inc
\$	177.15	Trico Equipment Inc
\$	25.08	The Two River Times
\$	520.42	Verizon

\$	194.58	Verizon Wireless
\$	265.50	Emily Wagner
\$	134.36	George Wall Lincoln Mercury
\$	2,620.00	Joseph Ward
\$	19,980.00	Warnock Dodge
\$	531.00	Lorraine & Robert Watson
\$	127.00	West
\$	90.06	Vicki Whelan
\$	265.50	Ruth M Widmaier
\$	19,698.53	Chas S Winner Inc
\$	265.50	Robert Zerr
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\$	4,027,598.47	Current Fund
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\$	26,888.24	State of New Jersey – Pensions
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\$	26,888.24	Pension Account
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\$	233.68	Action Office Supplies
\$	80.00	Ernest Calabrese
\$	747.50	Firehouse Specialty Shop
\$	130.49	Longstreth Women’s Sports
\$	8,442.01	Sarah Meulener
\$	350.00	Nappi Trucking Corp
\$	110.00	Aline Paulus
\$	3,900.00	Racquet Shop
\$	284.14	S & S Worldwide
\$	270.00	Sofia Seckler
\$	454.79	Sherwin-Williams Co
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\$	15,002.61	Recreation Account
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\$	1,000.00	Everclear Development LLC
\$	1,000.00	Dolphin Homes LLC
\$	2,790.00	Michael B Steib PA
\$	8,060.47	T & M Associates
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\$	12,850.47	Trust Account
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\$	30,222.47	Current Fund Appropriations
\$	3,997,376.00	Current Fund Appropriations
\$	30.60	Animal Control Fund Expenses
\$	45,605.00	Capital Fund Disbursements
\$	15,002.61	Recreation Disbursements
\$	39,738.71	Trust Fund – Other Expenses
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\$	4,127,975.39	Total Of All Funds

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: Kammerer.

ADJOURNMENT:

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the meeting adjourned at 8:00 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator